

## EXHIBIT 1



Entered on Docket  
May 13, 2008

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:  
USA Commercial Mortgage Company,  
USA Capital Realty Advisors, LLC,  
USA Capital Diversified Trust Deed Fund, LLC,  
USA Capital First Trust Deed Fund, LLC,<sup>1</sup>  
USA Securities, LLC,<sup>2</sup>

Debtors.

**Affects:**

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING SECOND  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED, IN WHOLE OR IN PART,  
UPON INVESTMENT IN THE GOSS  
ROAD LOAN**

Hearing Date: May 8, 2008

Hearing Time: 10:30 a.m.

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's Second Omnibus  
2 Objection of USACM Trust to Proofs of Claim Based, in Whole or in Part, Upon  
3 Investment in the Goss Road Loan (the "Objection") [DE 6096]. Adequate notice of the  
4 Objection was given. The Court heard the Objection on May 8, 2008. No responses were  
5 filed to the Objection and no opposition was raised at the hearing. Good cause appearing,

6 **IT IS ORDERED:**

- 7 • Sustaining the Objection;
- 8 • Disallowing the Proofs of Claim listed on Exhibit A attached to the extent they  
9 are based upon an investment in the Goss Road Loan. The Proofs of Claim  
10 listed in Exhibit A are not affected by this order to the extent they are based  
11 upon an investment in a loan(s) other than the Goss Road Loan; and  
12 • Reserving the right of any party in interest, including the USACM Trust, to  
13 further object to the Proofs of Claim listed on Exhibit A attached.

14 #####  
15 PREPARED AND SUBMITTED:  
16  
**LEWIS AND ROCA LLP**  
17 By: /s/ RC (#0006593)  
18 Susan M. Freeman  
19 Rob Charles  
John Hinderaker  
20 *Attorneys for USACM Liquidating Trust*  
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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

2 In accordance with Local Rule 9021, the undersigned certifies:

- 3    The Court waived the requirements of approval under LR 9021.
- 4    No parties appeared or filed written objections, and there is no trustee appointed  
5                          in the case.
- 6    No opposition was filed to the motion and no other party or counsel appeared at  
7                          the hearing.
- 8    I have delivered a copy of this proposed order to all attorneys and unrepresented  
9                          parties who have appeared at the hearing, and any trustee appointed in the case,  
10                         and each has approved or disapproved the order, or failed to respond, as  
11                         indicated below:

12 **LEWIS AND ROCA LLP**

13 By: /s/ RC (#0006593)  
14 Susan M. Freeman  
15 Rob Charles  
15 John Hinderaker  
16 Attorneys for *USACM Liquidating Trust*

**GOSS ROAD LOAN  
SECOND OMNIBUS OBJECTION**

**EXHIBIT A  
Multiple Loan Claim**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Approximate Amount Subject to Objection Because it Relates to an Investment In the Goss Road Loan</b>
<b>10725-00893</b>	Joyce E Smith Trust DTD 11/3/99	Joyce E Smith Trustee 3080 Red Springs Drive Las Vegas, NV 89135-1548	\$853,678.82	\$50,419.73
<b>10725-02233</b>	Eddie Mayo and Jocelyne Helzer Joint Tennants	115 South Deer Run Road Carson City, NV 89701	\$255,953.23	\$25,000.00
<b>10726-00067</b>	Joseph D. Doucet	Trustee of Doucet Trust 3301 Skyline Boulevard Reno, NV 89509-6604	\$502,335.71	Unclear